

\*\*E-filed 5/11/07\*\*

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 18 Domizile Homeowners Assoc.

19 UNITED STATES DISTRICT COURT  
 20 NORTHERN DISTRICT OF CALIFORNIA  
 21 SAN JOSE DIVISION

22 PATRICIA FAGUNDES,

23 Plaintiff,

24 vs.

25 CHARTER BUILDERS, INC. et al.

26 Defendants.  
 27  
 28

) Case No. C-07-1111-JF (RS)

) JOINT APPLICATION AND  
 ) STIPULATION TO EXTEND DATES  
 ) FOR INITIAL CASE  
 ) MANAGEMENT CONFERENCE  
 ) AND ADR DEADLINES;  
 ) ~~[PROPOSED]~~ ORDER

1 The parties to this action, by and through their respective counsel, hereby  
2 jointly apply for and stipulate to continue the case management conference for an  
3 additional 35 days until July 6, 2007 or the earliest date thereafter convenient for the  
4 court. The case management conference is presently scheduled for June 1, 2007.

5 The parties also jointly apply for and stipulate to continue other case schedule  
6 and ADR dates. The parties apply for and stipulate that the last day to meet and confer  
7 regarding initial disclosures, early settlement, ADR process selection and discovery  
8 plan and the last day to file the Joint ADR Certification with Stipulation to ADR  
9 Process or Notice of Need for ADR Phone Conference shall be 28 days before the date  
10 of the case management conference. The parties also apply for and stipulate that the  
11 last day to complete initial disclosures or state objection in Rule 26(f) Report, file  
12 Case Management Conference Statement and file and serve the Rule 26(f) Report shall  
13 be seven (7) days before the date of the case management conference.

14 There is good cause to grant this joint application and stipulation because two  
15 parties have not yet appeared in this action and another defendant has filed a motion to  
16 dismiss:

17 (1) Defendant Domizile Homeowners Assn. has filed a motion to dismiss,  
18 which is scheduled for hearing on June 15, 2007;

19 (2) Defendant Carrasco & Assoc. agreed to accept service and signed a waiver  
20 of service of process. Carrasco & Assoc.'s responsive pleading is due May 23, 2007;  
21 and

22 (3) Defendant Charter Builders, Inc. agreed to accept service and signed a  
23 waiver of service of process. Charter Builders, Inc.'s responsive pleading is due June  
24 15, 2007.

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Respectfully submitted,  
  
RELMAN & DANE, PLLC  
1225 19<sup>th</sup> Street, NW  
Suite 600  
Washington DC 20036-2456

Dated: May 10, 2007.

/s/ D. Scott Chang  
D. Scott Chang  
Attorneys for Plaintiff  
Patricia Fagundes

LONG & LEVIT LLP  
465 California Street, Suite 500  
San Francisco, California 94104

Dated: May 9, 2007.

/s/ Juan C. Araneda (w/ permission)  
Juan C. Araneda  
Attorneys for Defendant  
Heller-Manus, Inc.

ANGIUS & TERRY LLP  
1990 N. California Blvd., Suite 950  
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Dated: May 9, 2007.


/s/ Kevin C. Canty (w/permission)  
Kevin C. Canty  
Attorneys for Defendant  
Domizile Homeowners Assoc.

[PROPOSED] ORDER

Pursuant to the stipulation of counsel, and good cause appearing therefor, it is hereby ordered that the case management conference in the above-referenced action will be continued until July 6, 2007 at 10:30. The last day to meet and confer regarding initial disclosures, early settlement, ADR process selection and discovery plan and the last day to file the Joint ADR Certification with Stipulation to ADR Process or Notice of Need for ADR Phone Conference shall be 28 days before the date of the case management conference. The last day to complete initial disclosures, file the Case Management Conference Statement and file and serve the Rule 26(f) Report shall be seven (7) days before the date of the case management conference.

Pursuant to stipulation, it is so ordered.

Dated: May 11, 2007.

  
\_\_\_\_\_  
Jeremy Fogel  
United States District Judge

RE: Fagundes v. Domizile Homeowners' Ass'n, et al.  
VENUE: USDC, Northern District, San Jose Division  
CASE NO.: C07-01111JF

**PROOF OF SERVICE**

DISTRICT OF COLUMBIA

I am employed in the District of Columbia. I am over the age of 18 and not a party to the within action. My business address is 1225 19th St. NW, Suite 600, Washington, DC 20036.

On May 10, 2007, I served the following document described as JOINT APPLICATION AND STIPULATION TO EXTEND DATES FOR INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; [PROPOSED] ORDER on all of the interested parties in this action by placing [X] a true copy [ ] the original thereof enclosed in sealed envelopes addressed as stated below.

Juan Carlos Araneda  
J. Michael Higginbotham  
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465 California Street, Fifth Floor  
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Kevin Charles Canty  
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[X] (BY MAIL, 1013a, 2015.5 C.C.P.)

[ ] I deposited such envelope in the mail at Washington, D.C. The envelope was mailed with postage thereon fully prepaid.

[X] I am readily familiar with the firm's practice for collection and processing correspondence for mailing. Under that practice, this document will be deposited with the U.S. Postal Service on this date with postage thereon fully prepaid at Washington, D.C. in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

[X] (FEDERAL) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on May 10, 2007, at Washington, D.C.

/s/\_\_\_\_\_  
Carlee Hobbs